



City Council Agenda

Council President
Henry Perea

Councilmembers

Tom Boyajian
Brian Calhoun
Brad Castillo

Jerry Duncan
Sal Quintero
Daniel Ronquillo, Acting President

Interim City Manager
Andrew T. Souza

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, MARCH 20, 2001

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M. ROLL CALL

Invocation by Reverend Walt Parry of the Fresno Metropolitan Ministry
Pledge of Allegiance to the Flag

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of March 6, 2001

Action Taken:

GENERAL CONSENT CALENDAR

A. * **RESOLUTION** - 115th amendment to AAR No. 2000-183 appropriating \$3,500,000 for the acquisition of land for downtown parking facilities (*Requires 5 affirmative votes*) (*City action*) - City Manager's Office

Action Taken:

1. **RESOLUTION** - Establishing official intent of the City of Fresno to reimburse certain expenditures from proceeds of indebtedness for downtown parking facilities (*City action*) - City Manager's Office

Action Taken:

8:30 A.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY CONTINUED

AGENCY GENERAL ADMINISTRATION

- B. Consider releasing the Agency's option to re-purchase property located at 701 "L" Street (The "Bus Barn" property), in the Convention Center Redevelopment Project Area (*Council and Agency action*)
Action Taken:
- C. Consider approval of modifications to the Redevelopment Agency's contract with the California Public Employees' Retirement System (*Agency action*)
Action Taken:
1. **RESOLUTION** - For pre-tax payroll deduction plan for service credit purchase
Action Taken:
 2. **RESOLUTION** - For employer paid member contributions
Action Taken:
- D. Receive report and give direction to Redevelopment Agency staff and City Manager regarding Joint Fresno County Office of Education and Fresno Unified School District Charter/Magnet School in downtown Fresno, adjacent to the Regional Medical Center Campus - Council President Perea (*Council and Agency action*)
Action Taken:

ADJOURN

Proclamation of "NATIONAL SAFE PLACE WEEK" - All Councilmembers

Proclamation of 'AGRICULTURAL DAY'

COUNCIL ACTION ON UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

Approve Council minutes of March 13, 2001

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS
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10:00 A.M. HEARING regarding the FY 2001 Weed Abatement Program

Action Taken:

- a. **RESOLUTION** - Approving the program and declare that dry grass, weeds, trash and debris on vacant lots and lots with vacant structures pose a significant fire hazard in the City of Fresno

Action Taken:

10:15 A.M. HEARING to consider Plan Amendment Application No. A-00-20, Rezoning Application No. R-00-40 and environmental findings, filed by Joel Hensley on behalf of Liberty Christian Fellowship, for 2 acres, located at 1480 N. Millbrook Avenue (*Property located in District 7*)

Action Taken:

- a. Consider and adopt the Mitigated Negative Declaration for Environmental Assessment No. A-00-20, R-00-40 dated January 5, 2001

Action Taken:

- b. **RESOLUTION** - Amending the Roosevelt Community Plan

Action Taken:

- c. **BILL** - Amending the Yosemite School Area Specific Plan to change the planned land use designation of property located therein from medium density residential to the office commercial land use designation

Action Taken:

- d. **BILL** - Amending the Official Zone Map to rezone property from the R-A and R-1 zone districts to the R-P/cz zone district

Action Taken:

10:30 A.M. CONTINUED HEARING to consider a resolution of public use and necessity for acquisition of easements on six (6) properties at the intersection of Shaw and Blackstone Avenues

Action Taken:

- a. * **RESOLUTION** - Determining that public interest and necessity require the acquisition of right of way easements for the reconstruction of the intersection at Shaw and Blackstone Avenues, and that the acquisition of easement are necessary for the project (***Requires 5 affirmative votes***)

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:45 A.M. Presentation by Alan S. Perry, Director of Veteran's Administrative Hospital on feasibility of establishing a California Veterans Home in Fresno - Councilmember Quintero

Action Taken:

11:15 A.M. WORKSHOP - Presentation by the Convergent Group of key findings and recommendations from a six-month City-wide analysis of the City's existing information and technology practices, with a focus on how to use technology to better and more efficiently meet the needs and expectations of our residents and businesses - Department of Public Utilities

Action Taken:

2:00 P.M. DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)

2:15 P.M. BUDGET WORKSHOP

Action Taken:

1A. GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

1. * **RESOLUTION** - 108th amendment to AAR No. 2000-183 to fund the increased costs associated with the IAFF Non-Management and the IAFF Management Memorandums of Understanding (***Requires 5 affirmative votes***) - City Manager's Office/Budget Division

Action Taken:

2. Approve acquisition of a street easement from property at 6723 N. Vagedes for the Herndon Avenue widening project from Palm to West Avenues - Public Works Dept./Engineering Division

Action Taken:

3. Approve acquisition of a street easement from property at 5203 E. Clay for the Peach Avenue project from Clay Avenue to McKinley Avenue - Public Works Dept./Engineering Division

Action Taken:

4. **RESOLUTION** - Amending Resolution No. 94-99 which ordered the vacation of various rights-of-way within the area bounded by Tulare Street, "H" Street, Inyo Street, and the Fulton-Broadway Plaza alley - Public Works Dept./Engineering Division

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A.

GENERAL CONSENT CALENDAR CONTINUED

5. * **RESOLUTION** - 111th amendment to AAR No. 2000-183 appropriating \$100 of District 1's general fund infrastructure budget to fund the Partners In Pride Neighborhood Clean-up (***Requires 5 affirmative votes***) - Councilmember Boyajian
Action Taken:
6. * **RESOLUTION** - 112th amendment to AAR No. 2000-183 appropriating \$3,500 of District 3's general infrastructure budget to fund various community programs (***Requires 5 affirmative votes***) - Acting President Ronquillo
Action Taken:
7. Approve four (4) Lease Agreements for the commercial portion of the Van Ness and Merced garage facility - Dept. of Admin. Services/Facilities Management Division
Action Taken:
8. Award a requirements contract for application of slurry seal to various streets within the City of Fresno - Dept. of Admin. Services/Purchasing Division
Action Taken:
9. Award a contract for security services at the Chaffee Zoological Gardens - Dept. of Admin. Services/Purchasing Division
Action Taken:
10. Award a requirements contract for water well pumping equipment - Dept. of Admin. Services/Purchasing Division
Action Taken:
11. * **RESOLUTION** - 11th amendment to PAR No. 2000-184 transferring one (1) staff assistant from the Water Management Division to the Department of Public Utilities Administrative Division - Dept. of Public Utilities
Action Taken:
12. * **RESOLUTION** - 113th amendment to AAR No. 2000-183 appropriating \$1,363,000 to pay for health and welfare trust cost increases (***Requires 5 affirmative votes***) - City Manager's Office/ Budget Division
Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A. GENERAL CONSENT CALENDAR CONTINUED

- 13. RESOLUTION** - Approve a Professional Services Agreement with the Twining Laboratories, Inc. for inspection and testing for the Fresno Yosemite International Airport Terminal/Concourse Expansion Project under Federal Aviation Administration AIP Grant Nos. 3-06-0087-22, 24, 25, 28, 29, 31, 32 & 34 - Airports Department
Action Taken:
- 14. RESOLUTION** - Authorizing Amendment No. 1 of Federal Aviation Administration (FAA) FAR PART 150 Noise Compatibility Grant No. 3-06-0087-26 for the Fresno Yosemite International Airport - Airports Department
Action Taken:

1B. CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS

- 1. * BILL - (*For introduction*)** - Amending Sections 2-1812, 2-1813, and 2-1813.1 of the Fresno Municipal Code relating to membership in the Employees Retirement System
Action Taken:

1C. CONSENT CALENDAR - BILL FOR ADOPTION - BLUE TABS

2. PLANNING AND ZONING ADMINISTRATION

3. GENERAL ADMINISTRATION

- A. * BILL NO. B-33 - (*Intro. 3/6/2001*) (*For adoption*)** - Amending Section 8-205 of the Fresno Municipal Code relating to public nudity - Council President Perea
Action Taken:
- B.** Direction regarding feasibility assessment of City's participation in 50 megawatt generation facilities - Dept. of Public Utilities
Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

4.

CITY ATTORNEY

A

CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Govt. Code Section 54956.9, Subdivision (a)
 1. **Case Name:** Vanessa Ybarra v. City of Fresno, et al.
 2. **Case Name:** Fresno City Employees Association, Inc. v. City of Fresno; Andrew T. Souza, City Manager, Chief Administrative Officer; and Yvonne Quiring, Director, Department of Housing and Neighborhood Revitalization
 3. **Case Name:** Tony Vong aka Oday Mounsaveng v. City of Fresno
 4. **Case Name:** Vellutini Corporation dba Velcor v. ICG Telecom Group, Inc., et al, Fresno Superior Court No. 01 CE CG 00746
Action Taken:
2. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - Government Code Section 54956.9, Subdivision (b)
Significant Exposure to Litigation:
 - a. **Case Name:** Claim of Michael Rhodes; Claim of Leah Hammond; Claim of Heriberto Rosales; Claim of Robert Fischer; Claim of Arthur Trejo; Claim of Jill Smith; Claim of Bryan Apper; Claim of Lynn Jacobsson; Claim of Julius Rasmussen; Claim of Lauren Ferber; Claim of Aaron Wright; Claim of Mark Stout; Claim of Justin Ruben; Claim of Alexander Roselle; Claim of Zach Ordene; Claim of Jon Paul Solonen; Claim of Joan Poss; Claim of Robert Bergstrom; and Claim of Meghan Apper, a minor
 - b. **Case Name:** Claim of Estate of Delfino Guerrero-Hernandez; Claim of Victoria Hernandez; Claim of Emeterio Guerrero; Claim of Daniel Guerrero; Claim of Noe Guerrero; Claim of Jesus Guerrero; Claim of Antonio Guerrero; Claim of unborn child of Delfino Guerrero-Hernandez; and Claim of Carolyn Gonzalez
 - c. **Case Name:** City of Fresno v. Long Construction, Inc. Fresno Convention Investors, Inc.; Bud Long, Inc. dba Fresno Convention Investors
Action Taken:

5.

CITY COUNCIL

- A. Direct City Attorney to research the drafting of an ordinance to adopt guidelines pertaining to the number of service stations, convenience stores, or combination of both to be allowed within a specified zone within the City of Fresno - Councilmember Quintero
Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

5. **CITY COUNCIL CONTINUED**

- B. Staff report relating to the Pacific Bell and PG&E undergrounding of utilities along the Ventura/Kings Canyon Corridor- Councilmember Quintero

Action Taken:

- C. **RESOLUTION** - To the California Assembly in support of AB1094 regarding Rail Consolidation for Fresno authored by Assemblyman Mike Briggs - Councilmember Calhoun

Action Taken:

- D. Set a public hearing to name the park at Clinton and Brawley the “Victoria West Park” - Councilmember Boyajian and Acting President Ronquillo

Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

****ITEMS SUBJECT TO MAYOR’S VETO OR RECONSIDERATION***

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Mar. 27 - 8:30 A.M. CONTINUED COUNCIL/RDA JOINT HEARING** regarding proposed OPA and DDA betw. RDA and Lonzell and LaVera Williams, property located at northeasterly corner of Fresno and "A" Streets
- Mar. 27 - 9:50 A.M. RESOLUTION** encouraging voluntary compliance relating to reduction of outdoor lighting (Police Dept.)
- Mar. 27 - 10:00 A.M. HEARING** to review the Fresno City Planning Commission's action on Conditional Use Permit Application No. C-00-246 filed by Ahmad Lari to authorize the operation of a used car lot on the northwest corner of W. Shaw Avenue and Freeway 99 - Councilmember Calhoun
- Mar. 27 - 10:45 A.M. CONTINUED HEARING** re: Rezone Appl. No. R-00-46, filed by National Farm Workers Service Center, Inc.
- Mar. 27 - 4:00 P.M.** Presentation by Harlan Kelly to discuss Dan's Green Recycling, Yaweh Recycling & Weaver Recycling and discuss M-1 zoning being changed to conform with GNRA and the industrial park
- Mar. 27 - 4:45 P.M.** Consider adoption of daytime curfew ordinance (Bill No. B-14)
- Apr. 3 - 10:00 A.M. HEARING** re: Rezone Appl. No. R-00-45, filed by Consolidated Industries, Inc., property located at the southeast corner of E. Perrin and N. Sommerville
- Apr. 10 - NO MEETING - EASTER WEEK**
- Apr. 24 - 10:00 A.M. HEARING** re: vacation of the C-99 alley between Stanislaus and Tuolumne - R.I. 1021-D
- Apr. 24 - 10:30 A.M.** Presentation of Employee Service Awards (*Reception immediately following*)
- May 1 - 9:00 A.M.** Presentation of P.R.I.D.E. Team Certificates for the Spring Quarter (*Reception immediately following*)

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***